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SENATE BILL 594 By
Kyle

HOUSE BILL 787
By McMillan

AN ACT to amend Tennessee Code Annotated, Section 29-13-104;
Section 29-13-105 and Section 29-13-109(d), relative to
the Criminal Injuries Compensation Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 29-13-104(1), is amended by
deleting it in its entirety and by substituting instead the following:

(1) An act committed in this state, which, if committed by a mentally
competent, criminally responsible adult, would constitute a crime under state or
federal law. An award shall not be denied under this chapter solely on the basis
that the alleged offender was legally incapable of forming a criminal intent by
reason of age, insanity, drunkenness, or otherwise. Notwithstanding this section
or any other law to the contrary, an injury or death inflicted through the use of a
motor vehicle or watercraft shall be eligible for compensation under this chapter
only under the following circumstances:

SECTION 2. Tennessee Code Annotated, Section 29-13-104, is amended by
adding the following as a new subdivision (2) and by redesignating the existing
subdivisions accordingly:

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(2) A terrorist act or mass violence, as defined in § 2331 of title 18 of the United States Code, occurring outside the territorial boundaries of the United States if the victim was a resident of this state at the time of the act or violence and the claimant is not eligible for compensation under title VIII of the Federal Omnibus Diplomatic Security and Antiterrorism Act of 1986;

SECTION 3. Tennessee Code Annotated, Section 29-13-104(4), is amended by inserting after the word “acts” and before the word “committed” the punctuation and words “, except those described in subdivision (2),”.

SECTION 4. Tennessee Code Annotated, Section 29-13-105, is amended by adding the following as a new subsection at the end thereof:

(d) A person who has been convicted of an offense under Federal law with respect to any time period during which the person is delinquent in paying a fine, other monetary penalty, or restitution imposed for the offense shall not be eligible to receive an award with respect to a claim under this chapter. This subsection shall not apply until the date on which the United States Attorney General, in consultation with the Director of the Administrative Office of the United States Courts, issues a written determination that a cost-effective, readily available criminal debt payment tracking system operated by the agency responsible for the collection of criminal debt has established cost-effective, readily available communications links with entities that administer Federal victim compensation programs that are sufficient to ensure that victim compensation is not denied to any person except as authorized by law.

SECTION 5. Tennessee Code Annotated, Section 29-13-109(d), is amended by deleting it in its entirety and by redesignating the existing subsections accordingly.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

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